

## RULES OF PRACTICE IN CIVIL CASES

HON. MARY H. MURGUIA  
UNITED STATES DISTRICT JUDGE  
DISTRICT OF ARIZONA

1. **Status Hearing Setting Pretrial Conference:** A status hearing will be held after dispositive motions are ruled on. At the status hearing a trial date and pre-trial conference will be set.
2. **Discovery Disputes:** No motions are to be filed. If a conflict arises the party identifying the dispute should attempt to resolve the issue by meeting with opposing counsel, which typically requires a face to face meeting. If the parties are unable to resolve the dispute, the party identifying the issue may contact Chambers. The Court usually requires that the parties submit a brief two paragraph explanation of the dispute outlining the legal and factual basis for their positions. If necessary, the Court will set a hearing within 48 hours. Counsel may appear by telephone at the Court's discretion.
3. **Oral Argument:** Do not notice oral arguments. Place oral argument requested on the motion and a minute order will be issued setting oral argument, if the Court deems appropriate.
4. **Compliance with Local Rules:** Please comply with all rules local and otherwise. CM/ECF requires that a paper courtesy copy of an electronically filed document must be submitted directly to the assigned judge for certain types of documents such as: complaints; notices of removal; motions to dismiss and responses and replies thereto; motions for summary judgment and responses and replies thereto; motions for temporary restraining order and supporting documents; sealed documents including ex parte documents; documents exceeding 10 pages in length, including exhibits and attachments. To verify electronic filing, a copy of the Notice of Electronic filing must be attached to the courtesy copy. The next business day after the electronic filing, the courtesy copy must be either post-marked and mailed directly to the Court or hand-delivered to the Court's mailbox located in the courthouse. If the nature of the filing is such that the need for a judge's immediate attention is anticipated or desired, a courtesy copy shall be delivered on the same day as the filing. Paper courtesy copies must also comply with all requirements in LRCiv. 7.1. Courtesy copies are to be addressed to the assigned judicial officer and not the Clerk's Office.

5. **Extensions of time:** Extensions of time and motions to exceed page limit are not automatically granted even if stipulated to. The parties must make every effort to comply with the time and page limitations. If the parties are not able to do so, requests must be submitted **prior to the deadline** supported by **good cause**.
  - a. Except as provided in this section, electronically submitted proposed orders must be included as an attachment to the motion or stipulation. Additionally, following the filing of the motion or stipulation, a proposed order in WordPerfect or MS Word format and .pdf version of the motion or stipulation must be sent to the court in a separate, non-ECF generated e-mail message addressed to the appropriate chambers as set forth under subpart c of this section. The sender must not copy any other counsel or party on the e-mail message. The proposed order must not contain any form of signature line or block for the judge.
  - b. The proposed order, as well as a .pdf version of the related motion or stipulation, should be attached to an Internet e-mail message and sent to [murguia\\_chambers@azd.uscourts.gov](mailto:murguia_chambers@azd.uscourts.gov). The subject line of the message should contain the case number and title of the case, and the text of the message should reference the document number assigned to the motion or stipulation assigned by the ECF system when it was electronically filed.
  - c. All proposed orders must comply with LRCiv 7.1 and must be submitted in either WordPerfect 6.x or above (.wpd) or Microsoft Word 97 or above (.doc) file format. Submission of documents in WordPerfect file format is preferred. Proposed orders submitted to the judge in .pdf version or any other file formats other than WordPerfect or MS Word will not be accepted.
6. **Extensions of Rule 16 Scheduling Order deadlines:** Counsel are reminded that the schedule imposed in the Rule 16 Scheduling Order is not subject to modification except upon a showing of good cause and by leave of the district judge. Counsel should not stipulate to an extension of the deadlines set in the Rule 16 Scheduling Order without seeking an order extending the deadlines. The Court requires prompt notification of any delays that may require an extension of any deadline set in the Scheduling Order by filed motion or stipulation requesting the extension of time and stating good cause in support thereof.
7. **Summary Judgment Motions:** Only one summary judgment motion per party should be filed. Multiple summary judgment motions by a party will not be reviewed by the Court without a showing of good cause.
8. **Notice of Case Status:** No later than 30 days prior to the discovery cutoff date, the parties shall file a Notice of Case Status advising the Court of the status of the case and whether the case should be referred to a Magistrate Judge for a settlement conference.

9. **Notice for Trial Setting:** After completion of discovery, and in the event no dispositive motions are filed, counsel are required to promptly notify the Court in writing that the case is ready for a trial setting. The notice requesting a trial setting shall be filed jointly by the parties/counsel no later than 14 days after the dispositive motions deadline.
10. **Settlement:** The parties should explore various means of resolution throughout the course of the proceedings. If settlement occurs, immediately file a Notice of Settlement with the Clerk's office.
11. **Dismissal following Notice of Settlement:** Upon the filing of a Notice of Settlement, the Court will enter an Order directing that the case shall be dismissed with prejudice within 30 days unless a stipulation to dismiss has been filed prior to the dismissal date.
12. **Telephone Calls to Chambers:** Telephone calls to Chambers should be limited to notifying the Court of discovery disputes or other pressing matters.